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PLEASE PASS TO IO/PSC:BFITZGERALD AND S/CT:EROSAND

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TAGS: [PREL](#) [PTER](#) [UNSC](#)
SUBJECT: UN COUNTER-TERRORISM COMMITTEE HOLDS 167TH MEETING

REF: A. WILCOX/FITZGERALD/ROSAND EMAILS

[1](#)B. 7/6/06

[1](#)1. Summary: The Security Council's Counter-Terrorism Committee (CTC) met on July 6 to discuss: 1) feedback from subcommittees on their use of the Preliminary Implementation Assessments (PIAs) and the draft Chairman's paper on how the CTC should use the PIAs to update its working methods, 2) preliminary conclusions of the Counter-Terrorism Executive Directorate (CTED) visit to Jordan, 3) preparation for CTED's visit to Malaysia, and 4) the CTED monthly report, which surveyed the counterterrorism efforts of Moldova, Ukraine, and Belarus. The CTC also adopted CTED's report on its trip to Algeria. End Summary.

Feedback Regarding PIAs

[1](#)2. Commenting on the Chairman's draft proposing new procedures for the CTC's working methods, particularly the CTC's use of the PIAs, many delegations had not received instructions but offered preliminary views. Most delegations praised the PIA but differed on whether the CTC should share the PIAs with the relevant member states. The UK proposed online publication of the PIAs, and Japan proposed sharing the PIAs with donors. Sharing the PIAs would help states better understand where their efforts to implement resolution 1373 stand, Japan argued. France acknowledged it had advocated sharing the PIAs in previous discussions but offered flexibility, provided the CTC took into account: (1) the need for transparency to enhance states' confidence and to facilitate dialogue, and (2) efficiency to permit the CTC to focus on states experiencing difficulties in implementing resolution 1373. Greece and Peru expressed similar flexibility.

[1](#)3. The Russian Federation and China objected to the sharing of PIAs in their entirety at any time soon, arguing the CTC should continue to use letters to conduct its dialogue with states. Russia said sharing the PIAs could create an "endless process of assessment." China said sharing the PIAs would stifle CTED's assessments and could impede cooperation. France then asked for a better explanation of why sharing the PIAs would present problems. (Note: USUN said earlier in the meeting that the CTC should invite views from CTED.) In her opening and concluding remarks, the Chairman reminded members that, at its June 8 meeting, the CTC had agreed to work toward sharing the PIAs with states. The Chair reiterated that sharing the PIAs with states should be the ultimate goal.

[1](#)4. Comment: During the CTC's June 8 meeting, CTED objected to the proposal to share the PIAs with states as an alternative to having the CTC send letters containing long

lists of questions and asking states to report back to the CTC in three months. CTED argued that a requirement to share the PIAs with states would stifle its ability to make frank assessments about states' implementation of resolution 1373. CTED pointed to the "threat assessment" section of the PIA, saying it would not be appropriate to share that information with states.

15. Since then, CTED has raised its concerns privately with USUN and other P-5 missions, to the consternation of the Danish delegation, which believes CTED should raise its concerns openly with the CTC. As Chair, the Danes have not asked CTED to articulate its concerns since doing so at the June 8 meeting. CTED is concerned that if the PIAs are shared with states, it will be forced to engage in a protracted negotiation with states over the contents of its assessment. CTED also says it would be inefficient to prepare one PIA for the CTC, containing threat assessment and other information, and another one without such sensitive information to share with states. CTED also argues that sending the PIAs to states, without an explanatory cover letter, would confuse states, which would not know how to interpret or act upon the PIAs. Instead, CTED proposes that the Committee, rather than sending a modified PIA to a state, should continue to send letters to states. The PIA has proved to be a useful analysis tool for CTED. CTED proposes that those letters provide the CTC's assessment of the gaps states need to fill and request states to report back to the CTC on their efforts to fill them. As appropriate, the CTC could request states to submit reports only once a year, as opposed to every three months.

16. USUN has repeatedly stressed the U.S. desire to break the CTC's automatic cycle of reporting in favor of a system that focuses more closely on assessing states' compliance with resolution 1373, especially of states facing the greatest

difficulty. USUN views the new PIA-based approach the CTC has adopted as a step in that direction and thinks it is essential that the CTC communicate its assessment of implementation efforts clearly to states. USUN thinks the CTC can communicate information either through a truncated PIA or another mechanism, such as a letter, as long as that letter is an assessment and does not become another automatic request for a report. End comment.

CTED in Jordan and Preparation for Malaysia Visit

17. CTED briefed the CTC on its visit to Jordan June 18-27, noting vast operational and legal improvements since the three hotel bombings in Amman last November. CTED noted Jordan's request for x-ray and gamma ray machines to secure its borders and suggested that donors could contribute to a fund to purchase the equipment.

18. CTED briefed the Committee on its trip to Malaysia July 10-15 and commented positively on Malaysia's efforts to implement resolution 1373. CTED identified primary areas of concern as border control, the movement of people, and maritime security. Greece, France, and the UK voiced human rights concerns regarding CTED's seemingly positive assessments of the Internal Security Act (ISA), which authorizes law enforcement to detain terror suspects preventively for up to two years without prosecuting them.

19. In other matters, the CTED briefed the CTC on its conference call with ICAO, the IMO, Interpol, and UNHCR, in preparation for the CTC's 5th Special Meeting. The meeting has been tentatively scheduled for February 2007 in Nairobi.

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